

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KIM K. HEAVENER,

Plaintiff,

Case No. 1:06-CV-750

v.

Hon. Gordon J. Quist

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER AND JUDGMENT

APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on November 9, 2007. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed November 9, 2007, is approved and adopted as the opinion of the court. The Commissioner's decision is **reversed and remanded** pursuant to sentence four of 42 U.S.C. § 405(g) for re-evaluation of Dr. Hatt's opinions regarding plaintiff's medication side effects and her ability to work on a consistent basis throughout an 8-hour day.

This case is **concluded**.

Dated: December 13, 2007

/s/ Gordon J. Quist

GORDON J. QUIST
UNITED STATES DISTRICT JUDGE